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7,—*The Claims of the Citizens of the United States on Denmark examined. First published in the Boston Monthly Magazine.* By CALEB CUSHING. Boston. 8vo. pp. 18.

ON different occasions we have recently called the attention of our readers to the large amount of *Claims*, which our government holds against several of the powers of Europe; and we have especially explained the nature of these claims on Holland, France, and Naples, and exhibited the strong grounds on which they rest. We are glad to see in this pamphlet a similar course pursued, by Mr Cushing, in regard to Denmark. It is time for this whole subject to be sifted, and it is moreover time, that the demands of our citizens should be urged in a manner, which shall demonstrate that the American government will not patiently wait much longer for the tardy exercise of justice. Nothing is gained by delay, but on the contrary much is lost. Every year will increase the reluctance on the part of the foreign powers, to investigate the subject; and it is quite certain, that time will not have the effect to make them see more clearly the force of right, or to pay more willingly an honest debt, already of long standing. Our government and citizens, therefore, cannot be awake to the subject too soon, nor enforce their just demands too earnestly.

‘The capture of the American vessels by the Danes,’ says Mr Cushing, ‘began in 1809. Denmark was at that time an ally of Napoleon’s, and engaged in active hostilities against Great Britain, stimulated thereto by the recollection of the two successive attacks of the British on Copenhagen. Friendly relations between the Danish and American governments had existed uninterruptedly down to this period. But in this year thirtysix American vessels were taken and carried into Norwegian ports, and twentyfive into the ports of Holstein, Sleswick, and the Danish Islands. The captors were sailing under commission from the king of Denmark. Their depredations continued in 1810, during which year the number of captures increased to one hundred and four, which induced the government of the United States to despatch Mr George W. Erving to Copenhagen for the special purpose of arresting the progress of these illegal proceedings, and of reclaiming the property captured. His presence and his remonstrances to the Danish ministry had the desired effect in part, as the enterprises of the privateers were gradually restrained, and of many American vessels, which passed the sound in 1811, only about twentyfive were captured or interrupted in their progress.’ p. 4.

There were other captures, called *convoy cases*, which were marked with a still higher degree of injustice, and of hardship to the owners.

‘A number of American ships went up the Baltic in the spring of 1810, when they paid their Sound dues, were examined by the Danes, and pronounced to be neutral. On their passage down, they were arrested by British force, and compelled to accept convoy. This of course they had no motive to do for protection against Danish cruisers, because they had already passed the ordeal of an examination. When the convoy was attacked by Danish gun brigs, the Americans made no attempts to escape, feeling secure in the ascertained legality of their voyages, and were captured and carried into port, and condemned as good prize. When Mr Erving commenced his negotiations, ten of these cases were still pending, and he made the strongest efforts to procure their release, but without effect.’ p. 7.

Suffice it to say, that although Mr Erving succeeded in preventing a few condemnations, yet he obtained no indemnity for losses sustained by our merchants, in consequence of the unjust and high handed conduct of Denmark, in making captures under the circumstances mentioned above. Nor has any restitution whatever been made up to the present day.

Another thing the author thinks it quite time for the American government to look into, which is the duty, or tribute, levied by the Danes on all our ships passing into the Baltic. Since we have shaken off the yoke of the Barbary pirates, it may at least be deemed a question, whether it comports with our character, as an independent nation, to pay tribute to any government, and especially where no *quid pro quo* is received, as would seem to be the case in the present instance.

‘The *Sound duties* are paid in the shape both of a tonnage duty and of a duty on commodities. They are regulated by treaty between the Danes and Dutch, the British, Russians, Swedes, French, Prussians, and other nations. The basis of the rate of duty as paid by them, and more especially as paid by Americans, is the tariff established by the States General, in their treaty concluded with Denmark, in 1645, and known as the treaty of Christianopol. The tariff is qualified, however, and sundry additions are made to it, distinguished by the name of usances, and the whole is published in the common form of a tariff of duties on goods. It is not easy to ascertain the *precise* amount paid by us, because the cargoes of our ships, which ascend the Baltic, are not generally made up at home, and therefore cannot be collected from our custom house books. Indeed, the ships engaged in the Baltic trade do not, for the greater part, sail direct for Denmark, Russia, or Sweden. For instance, the American shipping cleared out for Russia between October the first, 1823, and September the thirtieth, 1824, was only 2,201 tons, while the amount entered

from Russia in the same period, rose up to 16,051 tons. Our ships generally take a cargo to some other port, and carry the proceeds, in cash or bills, to Russia, or take cash or bills to some intermediate port, and there purchase a cargo to be carried to Russia, and exchanged for a homeward cargo. Of course, no records here enable us to calculate with exactness the amount of duty paid at Elsinore upon cargoes collected out of the country. But persons conversant in the Russia trade, estimate the number of American vessels, which have annually ascended the Baltic, one year with another, the last three years, to be about one hundred, and the duty paid by each to average from 150*l* to 200*l* sterling, making in all from 15,000*l* to 20,000*l* per annum.' pp. 10, 11.

‘Danish writers carry back the establishment of the Sound dues to the time of the ancient Norsemen and the vikings of Norway. It matters not, for the purpose of this argument, if they were ordained by Runic Odin himself, amid the revelries of Valhalla. Suffice it for us, that the reason of the thing seems now to have ceased, and *cessanti ratione cessat ipsa lex*. The dues are said to have originated in a voluntary payment made by vessels entering the sound, as a consideration for the privilege of partaking in the fisheries on the coast, or as a stipend to the vikings to obtain defence against the northern pirates who abounded at that period, or as the price of pilotage, lighthouses, and other helps to navigation, or as a compensation to the Danes for the risk they incurred in suffering foreign ships to approach so near to their shore. But, with the exception of light and beacon money, which is now paid by the ship, in addition to the dues on the cargo, all these reasons for the tribute, supposing them to be the true ones, have passed away with the sea robbers and vikings, in whose barbarous usages they had their birth. But in truth, it is not to be believed, that the Sound dues can boast any such respectable origin. It is altogether improbable, that there ever was an equivalent received by those who paid them, either in protection or in anything else. This may have been the *pretext* under which they were demanded, but the lawless character of the marauding Norsemen would have prompted them to seize upon less valid pretexts than even this, as an apology for making exactions from the defenceless merchantmen or fisherman, who hazarded a voyage into the northern seas. Nevertheless, whether justly or unjustly demanded in the beginning, is quite immaterial to us Americans. All we have to regard is, not whether the antiquated customs of an uncivilized age impose the duty, nor whether this or that people has subsequently chosen to pay it, but whether there is now an adequate existing reason by which, according to the eternal and

unchanging principles of natural justice, we, as an independent nation, are bound to accede to the demand.' pp. 12, 13.

These remarks have force, and it will not be easy to show any defect in the principle on which they are founded, or the results to which they naturally come.

8.—*Report of the Canal Commissioners to the General Assembly of Ohio, December 12th, 1825.* Columbus. 8vo. pp. 54.

THE magnificent project of canals, now in operation in Ohio, is second only to the undertaking of the great Erie Canal of New York. And, indeed, considering the different circumstances and resources of the two states, the people of Ohio have, in enterprise and energy, if possible, outdone their neighbors. In cases like this, example does a great deal, to be sure, and the brilliant success of New York afforded at the same time the most profitable lessons of experience, and a sort of guaranty of similar results in Ohio. But, after all, there is something noble and imposing in the people of a comparatively new state coming forward with so much decision and unanimity, resolving on an undertaking of such magnitude, pledging their credit and levying taxes on themselves for carrying it into effect. Such an instance of public spirit, and of activity in a public cause, is hardly on record, as that displayed by the people of Ohio, in their recent measures for improving the internal navigation of the state.

Two canals have not only been projected, but their execution is already in considerable forwardness. The first of these extends from Cincinnati to Dayton, a distance of about sixty miles; the second connects the Ohio river with Lake Erie, beginning near the mouth of the Scioto river, and thence pursuing a devious course through the state, approaching near Columbus, the capital, seeking the head waters of the Muskingum, and Cuyahoga, and meeting the lake at Cleveland. We have seen no exact statement of the entire length of this line, but suppose it to be at some point between two hundred and fifty, and three hundred miles.

An act to provide for the internal improvement of the state of Ohio, by navigable canals, was passed by the legislature on the fourth of February, 1825. An examination had previously been made by authority, to ascertain whether it was practicable to connect the Ohio river and Lake Erie by a canal. This being settled in the affirmative, the act above referred to makes full provision for carrying the plan into execution. Seven commissioners are appointed by the legislature, who are to have the entire super-